IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1798 OF 2005

Shri.Shridhar Ramachandra Bendre ...Applicant

Versus

The State of Maharashtra ...Respondent

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Mr.Rajesh A.More for Applicant.

Mr.V.B.Konde-Deshmukh, A.P.P. for Respondent.

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CORAM: A.M.KHANWILKAR, J.

MARCH 22, 2005.

P.C.

1. Heard Counsel for the parties.

2. It is not in dispute that the prime accused has already been released on bail. Insofar as Applicant before this Court is concerned, he worked as Executive Engineer on the site for period from May 1995 onwards till he retired in 1997, whereas, the work of the project had commenced much earlier since 1994. Indeed, the lower Court has

referred to the fact that the Department suffered loss on account of the short supply. It is seen that the Department has already withheld sum of around Rs.2,00,000/- (Rupees Two Lakhs), which is payable to the Applicant, as enquiry is already pending against him.

3. As the relevant record has already been seized by the agency, custodial interrogation of the Applicant in that sense is not necessary. Moreover, the Applicant is suffering from serious ailment, of which, documents are tendered on record to support the ground taken in the Applicant.

4. Taking overall view of the matter, the Applicant deserves to be enlarged on Anticipatory Bail, but on following conditions :

(a) The Applicant is granted anticipatory bail in connection with C.R.No.22 of 1999 registered with Kolhapur Taluka Police Station on executing personal bond in the sum of Rs.20,000/- (Rupees Twenty Thousand) with two local sureties in the like amount.

(b) The Applicant shall report to the Investigating Officer, once in a week between 10.00 a.m. and 2.00 p.m. till the filing of the charge-sheet.

(c) The Applicant shall not influence the prosecution witnesses or tamper with the prosecution evidence in any manner whatsoever.

(d) The Anticipatory Bail will enure till the filing of the charge-sheet by the investigating agency.

. Application disposed of on the above terms.

A.M.KHANWILKAR, J.